

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN MEMPHIS

ARTHUR BOATNER,

Plaintiff,

vs.

Case No. 05-2439 BV

TURNER HOLDINGS, LLC d/b/a,
TURNER QUALITY CHECKED DAIRIES,

Defendant.

SCHEDULING ORDER

Pursuant to the Notice of Setting a Scheduling Conference issued by the Honorable Magistrate Judge Diane K. Vescovo, the parties conferred and propose the following schedule *at the Court appears:*

I. Initial disclosures pursuant to Federal Rules of Civil Procedure 26(a)(1):

November 17, 2005.

II. Joining parties: January 3, 2006

Amending pleadings: Plaintiff - January 3, 2006; Defendant - February 3, 2006.

Initial motions to dismiss: February 6, 2006

III. Completing all discovery: June 6, 2006

(a) Document production: June 6, 2006

(b) Depositions, interrogatories and request for admission: June 6, 2006

(c) Expert witness disclosures (Rule 26):

(1) Disclosure of Plaintiff's Rule 26 expert information: March 3, 2006

(2) Disclosure of Defendant's Rule 26 expert information: April 3, 2006

(b)

(3) Expert witness depositions: June 6, 2006

IV. Filing dispositive motions: July 10, 2006

V. Other relevant matters:

No depositions may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to default, response, answer, or objection shall be waived.

This case is set for a jury trial, and the trial is expected to last two to three days. The pretrial order date, pretrial conference date and trial date will be set by the presiding Judge.

This case may be appropriate for ADR. The parties request that they be allowed to go through some preliminary discovery prior to initiating ADR.

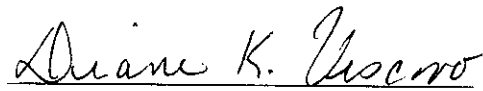
The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59 and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the Court. If the party believes that a reply is necessary, it shall file a Motion for Leave to File a Reply accompanied by a Memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the Magistrate Judge.

This Order is being entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



Diane K. Vescovo

United States Magistrate Judge

Date: October 31, 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02439 was distributed by fax, mail, or direct printing on November 1, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT